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i	TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING	Docket Number (Optional)	
	REJECTION OVER A PENDING SECOND APPLICATION	032405-053	
· }	O P E COLLOS		
	In re Application of: Yencho, Stephen A.; et. al.		
	Application No.: 09/886,074		
	Filed, suito 10, 2001		
	For: Method and System for Attaching a Graft to a Blood sssel		
j	The owner*, Cardica, Inc. , of 100 percent interest in the instant application hereby disclaims, except as		
	provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal		
	disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/924.556		
	filed on August 9, 2001 , of any patent on the pending second application. The owner hereby agrees that any patent so		
	granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is		
	binding upon the grantee, its successors or assigns.		
	In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant		
	application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the		
	event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by		
	a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all		
	claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.		
	statutory term as shortened by any terminal disclaimer filed prior to its grant.  RECENTED		
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	For submissions on behalf of an organization (e.g., corporation, partnership white sittle government agency, etc.), the undersigned is empowered to act on behalf of the organization.		
•	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent		
-	issued thereon.	,	
	2. The undersigned is an attorney or agent of record.		
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	Pignadie	54.0	
		Bernard A. Hausen	
06/08/2004	4 EAREGAY1 00000006 09886074 Typed or printed name		
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:	Terminal disclaimer fee under 37 CFR 1.20(d) is included.		
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	*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  Form PTO/SB/96 may be used for making this statement. See MPEP § 324.		

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